

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH LUNDSTROM and
JANE HIBNER,

Plaintiffs,

v.

CIV 07-00759 JH/WDS

ALBUERQUE POLICE OFFICERS
DEBRA ROMERO, ANTHONY SEDLER,
LORENZO APODACA, EDOUARD TAYLOR,
And OFFICER ZAZZA GREEN, in their
Individual capacities and as employees of the
City of Albuquerque

Defendants.

DEFENDANTS' MOTION IN LIMINE NO. I TO EXCLUDE
ANY EVIDENCE OF ANY ALLEGATIONS OF
PRIOR AND SUBSEQUENT BAD ACTS

COME NOW Defendants, by and through their respective counsel, Assistant City Attorney Stephanie M. Griffin and Michael S. Jahner, Yenson, Lynn, Allen, and Wosick, P.C., pursuant to Fed. R. Evid. 104, 401, 403, and 404, and hereby move the Court for entry of an order excluding Plaintiffs' anticipated efforts to introduce evidence of allegations against some or all of the Defendants of prior and/or subsequent "bad acts." As grounds, Defendants state:

1. Introduction of evidence of police activity in Plaintiffs' neighborhood that occurred after Defendants left Plaintiff Lundstrom's premises, and any evidence of any allegations of prior and/or subsequent bad acts made against Defendants or any of them is irrelevant and inadmissible, pursuant to Fed. R. Evid. 104, 401, 402, 403, and 404;

2. Plaintiffs oppose this Motion.

3. A memorandum in support of this motion is submitted simultaneously herewith.

WHEREFORE, Defendants respectfully request that this Court grant Defendants' Motion in Limine No. I, and thereby prohibit discussion about and preclude any proffer of any of the evidence that is a topic of this motion, together with all other relief that the Court deems just and proper.

Respectfully submitted:

CITY OF ALBUQUERQUE
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/s/ Stephanie M. Griffin, Assistant City Attorney
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I hereby certify that the foregoing
was sent via NEF to:

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And

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this 2nd day of September, 2008.

/s/ Michael S. Jahner